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PADMANABHAN RAGHUNANDHAN
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BESANT NAGAR, CHENNAI, TAMIL NADU, 600090
INDIA

EXAMINER

DISTEFANO, GREGORY A

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/708,494

Applicant(s)RAGHUNANDHAN,
PADMANABHAN**Examiner**

Gregory A. DiStefano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-24 is/are rejected.
- 7) ☒ Claim(s) 9-18, 22 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some,* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Application filed on 3/8/2004
2. Claims 1 – 24 have been submitted for examination

Priority

3. Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country. The examiner would like to acknowledge the listing of a foreign application: India 265/MAS/2003. The examiner is unable to locate this document and if said document is a copending foreign application, applicant may be eligible to claim priority benefits.

Election/Restrictions

4. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-6, drawn to a method of accessing an Internet site and sending email, classified in class 715, subclass 752.
 - II. Claims 7-24, drawn to a method of providing search capability for users, in locating businesses or acquiring information on the web, classified in class 707, subclass 3.
5. The inventions are distinct, each from the other because of the following reasons:
6. Inventions II and I are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a email system. Invention II has separate utility such as a online search engine. See MPEP § 806.05(d).
7. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

8. During a telephone conversation with Mr. Padmanabhan Raghunandhan on 3/18/2007 a provisional election was made with traverse to prosecute the invention of Group II, claims 7-24. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-6 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the different searching capabilities must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

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of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

9. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "a system for a more efficient search engine".

10. The abstract of the disclosure is objected to because of the following:

in line 6, it reads "the inventions" and should read "the invention";

in the last line, the phrase "easier, efficient and user-friendlier" should read "easier, more efficient and more user friendly". Correction is required. See MPEP § 608.01(b).

11. The disclosure is objected to because of the following informalities:

Page 1, paragraph [0001] recites "The telephone numbers (in structure in US is <area code> <3 digit prefix> <4 digit number>, specifically the area code", which should

read, "The telephone numbers (**which** structure in **the** US **are** <area code> <3 digit prefix> <4 digit number>), specifically the area code".

Page 2, paragraph [0002] includes the sentence "Zip codes in Europe contain alphabets." The examiner finds the term "alphabets" to be misleading and is suggested to be amended to "alphabetic letters" or something of similar effect.

Page 3, paragraph [0005] recites "able to buy good and services", which should read, "able to buy **goods** and services".

Page 4, paragraph [0007] and page 5, paragraph [0012] describe figure 2 as a block diagram depicting an embodiment of sending/receiving email. This description does not accurately describe the figure, as the examiner interprets the figure to depict a user searching for doctors within the Dulles Airport Area.

Page 4, paragraph [0011] recites "it can deduced that the state", which should read, "it can **be** deduced that the state".

Page 6, paragraph [0016] starts by reciting "The patent describes". The examiner suggests amending the word "patent" to the word "invention" or something of similar effect.

Page 6, paragraph [0016] recites "the senders of e-mail"s generated", which should read, "the senders of **e-mails** generated".

Page 7, paragraph [0018] recites "this TLD and can be used using other TLD"s such as". The phrase "used using" is unclear and is suggested to be amended to "can be **utilized** using other" or something of similar effect. Furthermore, the term "TLD"s" should be "**TLD's**"

Page 8, paragraph [0019] begins with "User can customize", which should read, "A user can customize" or something to a similar effect.

Page 8, paragraph [0020] recites the phrase "or set password based on amount i.e. below \$50, between \$50 and \$100 another password and so on". The examiner finds this phrase to be unclear. A suggestion for amendment could be, "or set a password based on amount i.e. "below \$50", "between \$50 and \$100" and so on". Furthermore, later in the paragraph, it recites the phrase "using RSA algorithm", which should read, "using a RSA algorithm".

The brief description of drawings for figures 1-3 seem to be repeated in paragraphs [0006] – [0008] and paragraphs [0011] – [0013]. Only one instance of this section is needed. The examiner suggests the cancellation of one of either two sets of paragraphs mentioned.

Appropriate correction is required.

Claim Objections

12. Claims 9-18, 22 and 24 are objected to because of the following informalities:

13. Claim 9 makes reference to "the input" and is dependent upon claim 7. Neither claim 7 nor claim 9 makes reference to a input. Since claim 8 refers to "receiving input", the examiner finds that claim 8 was the intended parent of claim 9 and will be read as such for purposes of examination.

14. Regarding claim 10:

Line 2 contains the limitations “memory” and “hard disk” where a “hard disk” can be interpreted to be a form of “memory”. The examiner suggests amending to better distinguish between the two limitations.

Line two contains a phrase which reads, “one or more CPU”s” which should read, “one or more **CPUs**”.

Lines 3 and 4, contain the phrase, “to compute neighboring latitudes/longitudes within a certain distance”, which is found to be unclear. It is unclear as to what the “neighboring latitudes/longitudes” are neighbors to and “a certain distance” from where to where. For purposes of examination, the examiner assumes these phrases to be “neighboring” a user and “a certain distance” from a user to a location.

Lines 3 and 5, with regard to the limitations regarding “a generic tool” and “the ability to display”, as the claim is worded currently, it is unclear as to where these two limitations are located, i.e. are they physical tools, software located in the memory, etc. The examiner suggests specifically pointing out such aspects, as, for example, “a generic tool, residing in memory, that possesses the capability to”, and ,“where said CPU possesses a display device possessing the ability to display”. These quotations are simply suggestions and should be taken as such. The applicant is able to amend claims as he/she sees fit.

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15. Regarding claims 11-18, there are multiple references made to “the input string” and “the latitude and longitude”, which are not found to exist within neither claims 11-18 nor their parent claim 7. Therefore, the examiner believes the intended dependency of claims 11-18 was to be that of claim 8, which is the next sequential claim that mentions “a input string” (see claim 8 under §112 second paragraph claim rejections). For purposes of examination, these claims will be read as depending on claim 8.

Furthermore, the phrase, “the latitude and longitude”, in claims 11-18, will be replaced with, “a latitude and longitude” for purposes of examination.

16. Further regarding claim 12, the phrase “which is telephone number” should read, “which is a telephone number”.

17. Further regarding claim 15, the phrase “well-known” is not found to clearly point out the limitation of “mnemonic” as what is “well-known” will vary from individual to individual. For purposes of examination, this phrase will not be read into the claim.

18. Further regarding claim 17, the phrase “one or more of the following length and structure of the Zip Code, telephone area code, airport code, or landmarks”. The examiner finds that the term “landmarks” is unclear in this limitation. While Zip codes, telephone area codes, and airport codes may change in length and structure dependent upon their country/region of origin, it is unclear how a “landmark” structure or length can

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be used to determine a location. For purposes of examination, the limitation of "landmarks" will not be read into claim 17.

19. Further regarding claim 18, the phrases "the telephone phone number", "the telephone area code", and "the prefix" all lack antecedent basis and will be read as "a telephone phone number", "a telephone area code", and "a prefix". The phrases "a telephone area code" and "a prefix" are also found to be synonymous, as a telephone area code is a prefix. There is also what is believed to be a misprint of a double period after the word "prefix..".

20. Regarding claims 11, 17 and 22, the examiner suggests amending the phrase "Zip Code" to be that of "Zip code" to conform with other references to this limitation.

21. Regarding claim 24, the phrase "based on their current location" is found to be unclear as the term "their" should more specifically point out what it is referring to. The examiner suggests amending this claim to "providing advertisements to a mobile device based on a current location of **the mobile device**."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

22. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

23. Claims 8 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

24. As recited in claim 8, "receiving input from a display device", is not discussed within the instant application's specification and therefore it is not clear to the examiner how such input could be received. As described, the invention would require undue experimentation from one of ordinary skill in the art to make/use the present invention, specifically the invention's ability to receive input from a display device. For purposes of examination, this limitation will be read as "receiving input from a **user**". See MPEP 2164.01 "Test of Enablement" and *In re Wands* for "undue experimentation" requirement.

25. As per claim 21, the examiner finds insufficient evidence within applicant's specification to properly enable a system to "derive the country code of the desired search based on the structure of the Zip code". Although applicant describes, within the specification, that different countries may utilize different formats of postal codes (e.g. numerical lengths and alphanumeric letters), applicant fails to describe the actual method of deciphering a postal code into its appropriate country. By means of example, while the US zip code system uses 5 numerical digits, so does a majority of European countries. Applicant also fails to address those countries that have not adopted formal postal codes, such as the countries of Panama or Vietnam. As described, the invention would require undue experimentation from one of ordinary skill in the art to make/use the present invention, specifically the invention's ability to derive country codes from the structure of the Zip code. Due to the inability of the specification to enable claim 21, the examiner is unable to perform an adequate search of this claim.

26. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

27. Claims 7-24 are rejected under USC 112 second paragraph for failing to particularly point out and distinctly claim the subject matter, which the applicant regards as his invention.

28. Claims 7-9 and 11-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As claim 7 contains a method claim, some form of transitional phrase is needed to separate the preamble of the claim from its following steps. By way of example, "A method of providing search capability for users, in locating businesses or acquiring information on the web **comprising:**" (see MPEP 2111.03).

Further regarding claim 7, the claim contains the phrase "the web". Such terminology fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Although the phrase "web" is well known to those skilled in the art, this phrase may also incorporate an intranet web as well as an internet web. Claims 8, 9 and 11-24 are rejected as depending upon claim 7, which is rejected under 35 U.S.C. 112.

The rejections of the dependent claims, for these reasons, may be lifted through resolving the issue with claim 7. Though resolving this issue will remove these rejections, the following rejections will still apply and will require separate resolution.

29. Claim 8 recites the limitation "the request string" in line 3. There is insufficient antecedent basis for this limitation in the claim. Furthermore, due to the above objections to the multiple claims that are assumed to depend upon claim 8, applicant's use of the phrase "request string" will be read as being synonymous with "input string". For purposes of examination, this phrase will be read as "**an input string**".

30. Claim 9 recites the limitation "wherein the determining further comprising" in line 1, "the geographic location of interest" in line 3, and "the order" in line 4. There is insufficient antecedent basis for these limitations in the claim. For purposes of examination, these phrases will be read as "wherein the **method** further **comprises**", "a geographic location of interest", and "a order".

31. Regarding claim 16, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. For purposes of examination, this phrase and the limitations following it will be excluded from consideration. Furthermore, the phrases "the category of interest" and "the input" are found to lack antecedent basis, and will be read as "a category of interest" and "an input". Furthermore, the phrase "etc." is indefinite and also removed from consideration. See MPEP § 2173.05(d).

32. Regarding claim 17, in lines 5 and 6 contain the word "etc.". This word is found to be indefinite as it does not particularly point out and distinctly claim the matter. For purposes of examination, this limitation will not be read into the claim.

33. Claim 19 recites the limitation "the latitude and longitude" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, this phrase will be read as "a latitude and longitude".

34. Regarding claim 20, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrases are part of the claimed invention. The phrase "well known" is also found to be indefinite, as it does not distinctly limit the claimed matter. Furthermore, the phrase "the search" is lacking antecedent basis as neither claim 20, nor claim 7 mention a search. For purposes of examination this claim will be read as, "a search being requested using a geographic keyword". See MPEP § 2173.05(d).

35. Claim 21 recites the limitations "the country code", "the desired search", and the structure", none of which have yet to be declared in claim 21 nor its parent, claim 7. Therefore, there is insufficient antecedent basis for these limitations in the claim. For purposes of examination, this claim will be read as "deriving a country code of a desired search based on a structure of the Zip code".

36. Claim 22 recites the limitations "the search", and "the telephone area code", none of which have yet to be declared in claim 21 nor its parent, claim 7. Therefore, there is insufficient antecedent basis for these limitations in the claim. For purposes of

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examination, this claim will be read as “deriving the Zip Code for a search based on a telephone area code”.

37. Claim 23 recites the limitations “the region code”, and “the User’s IP address”, none of which have yet to be declared in claim 21 nor its parent, claim 7. Therefore, there is insufficient antecedent basis for these limitations in the claim. The term “User’s” also needs grammatical correction. For purposes of examination, this claim will be read as “deriving a region code based on a user’s IP address”.

Claim Rejections - 35 USC § 101

38. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 7-8 and 11-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Accepting input and searching information is not a tangible result, such as, for example, displaying the information, saving the information for a later use, etc. The claimed invention as a whole must be useful and accomplish a practical application. That is, it must produce a “useful, concrete and tangible result.” *State Street*, 149 F.3d at (1374), 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of “real world” value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or

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research (*Brenner v. Manson*, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96 (1966); *In re Fisher*, 421 F.3d 1365, 76 USPQ2d 1225 (Fed. Cir. 2005); *In re Ziegler*, 992 F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)).

Claim Rejections - 35 USC § 102

39. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

40. Claims 7-11, 16, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chan et al. (US 6,381,603), hereinafter Chan.

41. Regarding claim 7, Chan teaches the following:

a method of providing search capability for users (Fig.6), in locating businesses (Fig. 6, #61b) or acquiring information on the web (Fig. 6, #60), pertaining to a given geographic location (Fig. 6, # 62) or Zip code (Fig. 6, Range value), (abstract, lines 2-4), the database is organized with merchandise information including identifier of information provider, identifier information, (abstract, lines 7-11), the user of an end-user computer is able to search the database by sending a query to a remote server computer system. The query includes searching geographic area and searching criteria.

The examiner would like to further note that claim 7 read in its broadest fashion, would read, "a method of providing search capability for users, in acquiring information on the web, pertaining to a given geographic location" which is extremely broad. The examiner suggests the claim to be amended to place narrower limitations on the claim, such as omitting the word "or".

42. Regarding claim 8, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

receiving input from a user; and receiving the request string (e.g. query) through the input screen, (abstract), the user of an end-user computer is able to search the database by sending a query to a remote server computer system, (column 5, lines 65-66), i.e. Fig. 5 illustrates the graphical user interface used between step 41 to step 43 to receive input from the user.

43. Regarding claim 9, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

analyzing the input to determine the geographic location of interest; and providing search results in the order of relevance to the location, (column 2, lines 2-5), the program runs on the computer and could use the current position coordinates to search a built-in database for the closest gas stations, hospitals, or restaurants. The examiner would like to further note that if a program display a "closest" location, then this location is displayed in an order of relevance to the location. Furthermore, a gas station, a hospital, or a restaurant are found to be forms of geographic locations. The examiner also finds it inherent, that, in order for the GPS system discussed in column 1, line 59 through column 2, line 8 to determine which type of location a user wishes to search for, the user must first input that type.

44. As per claim 10, Chan teaches the following:

one or more CPU's (Fig. 8, #821, 822, 826), memory (Fig. 7, #712), hard disk and a network interface (Fig. 8, #827); a generic tool to compute neighboring latitudes/longitudes within a certain distance (provided as a parameter to the tool (Fig. 5, #52-55); and the ability to display one or more results of the search (Fig. 6, #60), (column 7, lines 51-53), i.e. processor 711 may be any general-purpose processor having a CPU, RAM, ROM, and I/O circuitry. The examiner further finds it inherent that a general-purpose computer system will possess a hard disk drive, (column 5, lines 6-10), i.e. box 52 accepts input for a position. The position is a location in an area where

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the user would like to search for merchandise. The position is the position coordinates include at least longitude and latitude, (column 6, lines 27-31), i.e. the searching area constraint and the position in Box 43 together define a geographic area in which the user would like to search for merchandise.

45. Regarding claim 11, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

determining a latitude and longitude from the input string, which is a postal code, (column 5, lines 13-17), i.e. another field in each merchandise information record is a position field. The position field has position coordinates of the merchandise. The position coordinates include the latitude and longitude, column 6, lines 33-35), i.e. the searching area constraint could be a keyword "ZIP", which is a zip code area in which the position in Box 52 is located.

The examiner finds Chan's teachings to encompass applicant's claim 11 by, a user may enter a zip code into Chan's method which then finds all values of latitude longitude pairs residing within that zip code. Therefor Chan determines these latitude longitude values using the input zip code.

46. Regarding claim 16, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

determining the category (e.g. personnel information) of interest for the search from the input string, (column 12, lines 29-34), i.e. Box 174 accepts input for search

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criteria. The search criteria is a single keyword or a Boolean search expression, which combines several keywords with Boolean operation. For example, the user would like to search for a person with "Personnel_Information_criteria1" and "Personnel_Information_criteria2". Furthermore, the examiner would like to note, that "Personnel_Information_criteria1" might be a person's profession such as a lawyer or doctor, which would cause Chan's method to find, for example, all doctors within a certain zip code.

47. Regarding claim 19, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

using a latitude and longitude derived from a GPS system for getting location specific search results on a mobile device, (column 3, lines 11-12), i.e. the locale computer could be a hand held computer or some portable computer, (column 6, lines 6-9), i.e. box 52 accepts input for a position. The position is a location in an area where the user would like to search for merchandise. The position is the position coordinates of the Global Position System.

48. Regarding claim 20, Chan teaches the method of claim 7 as described above.

Chan further teaches the following:

the search being requested using geographic keyword, (column 6, lines 34-39), i.e. the searching area constraint could be a keyword "ZIP", which is a zip code area in which the position in Box 52 is located. It could be a keyword "CITY", which is a city

area in which the position in Box 52 is located. Or, it could be "STATE", which is a state area in which the position in Box 52 is located.

Claim Rejections - 35 USC § 103

49. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

50. Claims 13, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan as applied to claims 7-11, 16, 19 and 20 above, in view of DeLorme et al. (US 5,559,707), hereinafter DeLorme.

51. Regarding claim 13, Chan teaches the method of claim 7 as described above. However Chan does not describe a method where the input string may be a telephone area code as recited in claim 13. DeLorme teaches the following:

determining a latitude and longitude from an input string, which is a telephone area code (Fig 1F), (column 13, lines 4-10), i.e. three buttons in the row at 136 prompt the dialog boxes for "Locate Place Name" at 137, "Locate Zip Code" in Fig. 1E and "Locate Area Code and Exchange" in Fig. 1F. This suite of locating tools facilitates searching lists by the names of places or cities and respective states or provinces as well as locating specified places by recentering the map display upon the identified

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location, (column 10, lines 26-30), i.e. POI's can be represented in both digital and print media cartography and are situated or described by standard geographic coordinates such as latitude and longitude.

It would have been obvious to one skilled in the art at the time the invention was made, to have combined the input of Chan with the telephone area code input of Delorme. One skilled in the art would be motivated to make such a modification because as shown by Delorme in figures 1E and 1F, telephone area codes may work in a similar fashion to postal zip codes in locating geographic areas. As Chan's method involves the input of a postal zip code for a search area, one skilled in the art would have seen it as an obvious modification to change Chan's method to also accept telephone area codes as an input. One skilled in the art would have found such modifications beneficial as it would have expanded the types of values Chan's method could accept as input.

52. Regarding claim 15, Chan teaches the method of claim 7 as described above. However Chan does not describe a method where the input string may be a landmark as recited in claim 15. Delorme teaches the following:

determining a latitude and longitude from the input string, which is a landmark or well-known mnemonic, (column 6, lines 11-18), i.e. according to the invention POI types of the CARS database may be selected for example from the group consisting of restaurants, hotels/motels, cities, municipalities, settlements, routes, transportation

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services such as airports, ferries, and railroads, parks, recreation areas, campgrounds, hospitals, zoos, museums, tourist and sightseeing attractions, other geographical landmarks, etc., (column 10, lines 25-30), i.e. generally, POI's can be represented in both digital and print media cartography and are situated or described by standard geographic coordinates such as latitude and longitude, UTM, State Plane, or equivalent map location systems.

It would have been obvious to one skilled in the art at the time the invention was made, to have combined the input of Chan with the POI input types of Delorme. One skilled in the art would have found such a modification obvious as Chan describes such a system in column 1, lines 28-50, where Chan discusses categorizing databases and being able to locate certain instances under a category on a map. One skilled in the art would have been motivated to make such modification because while Chan's system mainly discusses locating different points of interest, it would have been beneficial to search for different travel locations such as a landmark, which was well known in the art at the time as Chan mentions in column 1, lines 32-34.

53. Regarding claim 18, Chan teaches the method of claim 7 as described above. However Chan does not describe a method where the input string may be an area code and prefix as recited in claim 18. Delorme teaches the following:

determining a latitude and longitude from a telephone number provided in the input, using a telephone area code and a prefix, (column 13, lines 4-10), i.e. three

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buttons in the row at 136 prompt the dialog boxes for "Locate Place Name" at 137, "Locate Zip Code" in Fig. 1E and "Locate Area Code and Exchange" in Fig. 1F. The examiner would like to further note Delorme's teaching of figure 1F where after a user has input an area code under step 1, the user must then select an appropriate "prefix" under step 2. The examiner would like to further note that an "area code" is synonymous to a "prefix" as it appears at the beginning of a telephone number.

It would have been obvious to one skilled in the art at the time the invention was made, to have combined the input of Chan with the telephone input of Delorme. One skilled in the art would have been motivated to make such modifications for the same reasons as those described 13. Furthermore, one skilled in the art would have found it beneficial to further include the exchange after the area code as this would help to further narrow the search area.

54. Claims 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan as applied to claims 7-11, 16, 19 and 20 above, in view of Hayami et al (US 5,635,953), hereinafter Hayami.

55. Regarding claims 12 & 22, Chan teaches the method of claim 8 as described above. However Chan does not explicitly teach the method of deriving zip codes based on telephone numbers as recited in claim 12, and telephone area codes, as recited in claim 22. Hayami teaches the following:

deriving the zip code for the search based on a telephone area code, (column 3, lines 29-35), i.e. the position retrieval section then retrieves map data stored in the map memory according to the telephone number, area code, or postal code and displays the map on the displayer. The map region on display may be shown highlighted when the map region is specified by information such as an area code and a postal code. The examiner interprets that a user utilizing Hayami's system can compare highlighted sections of the map regions to derive zip codes from inputted telephone area codes. The examiner would like to further note that as per the abstract of Hayami, i.e. a position retrieval section reads from the second memory the coordinate of a position on a map corresponding to the telephone number inputted through the inputting panel, which clearly shows a position can be searched via a "telephone number" as recited in claim 12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the navigational techniques of Chan with that of the position retrieval based on a telephone area code of Hayami. One of ordinary skill in the art would have been motivated to make such modifications because both Chan and Hayami discuss mapping methods utilizing telephone numbers as input. One of ordinary skill would find such a modification beneficial because highlighting areas based on area code/zip code would have helped the user get a better idea of the general area encompassed by each.

56. Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan as applied to claims 7-11, 16, 19 and 20 above, in view of Turcotte (US 6,823,260).

57. Regarding claim 14, Chan teaches the method of claim 7 as described above. However Chan does not explicitly teach the method of determining latitude and longitude from an airport code as recited in claim 17. Turcotte teaches the following:

determining a latitude and longitude from the input string, which is an airport code, (abstract), i.e. position information of any first format is sent to a proxy server. An identifier that identifies the type and format of the position information is also sent. The proxy server then locates and accesses an executable plug-in module associated with the identifier to convert the position information of the first format into one of a plurality of standard location formats. The examiner would like to further note that Turcotte

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anticipated the use of airport codes as input as shown in Fig. 9. With the values of Fig. 9 read into Turcotte's method, location information of a first format (e.g. closest major airport code) is converted to a standard location format (e.g. GPS coordinates as shown in Fig. 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the location information of Chan, with position information from an airport code of Turcotte. One of ordinary skill would have been motivated to make such modifications because third party services commonly need information in formats other than the one a user provides. By being able to access information based on airport codes, a user of modified Chan would have been able to better locate POI with the immediate area of specific airports, such as nearby landmarks for tourism, hotels, restaurants, etc.

58. Regarding claim 17, Chan teaches the method of claim 8 as described above. However Chan does not explicitly teach the method of determining latitude and longitude from the format of the input as recited in claim 17. Turcotte teaches the following:

determining the latitude and longitude from the format of the input string, which could be one or more of the following length and structure of the zip code (5 digits, 6 digits, alphanumeric), telephone area code, airport code, or landmarks, (column 11, lines 32-35), packet 700 may contain a raw position information identifier 710. This

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identifier 710 will indicate what type or format of location information data 730 is included within the packet 700.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the search techniques of Chan, with the input format teachings of Turcotte. One of ordinary skill in the art would have been motivated to make such modifications as both Chan and Turcotte teach location searching methods with different aspects. One skilled in the art would have further found it beneficial to make such modifications, by expanding the possible input to be used by Chan. Furthermore, as Chan teaches in column 4, lines 65-67, i.e. database 14 is a centralized database system and stores the data about merchandise information in the worldwide area, the examiner finds that Chan rendered obvious the storing of location information outside the United States. As zip codes, area codes, and airport codes all have different formats depending on their country of origin, it would have been obvious to one skilled in the art to have seen that in order to have distinguished foreign and domestic areas, the system of Chan would have been equipped with a method to distinguish the different codes for different areas.

59. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan as applied to claims 7-11, 16, 19 and 20 above, in view of Yeh et al (US 2005/0050097), hereinafter Yeh.

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60. Regarding claim 23, Chan teaches the method of claim 7 as described above.

However Chan does not explicitly teach the method of deriving a region code based on an IP address, as recited in claim 23. Yeh teaches the following:

deriving a region code based on the user's IP address, (pg. 6, paragraph [0069]), the present invention may be used to derive or estimate geolocation information from other information. For example, the present invention may use known techniques (such as that used by the "NetAcuity" product from Digital Envoy of Norcross, Ga.) to map internet protocol ("IP") address and/or domain information to geolocation information.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the location techniques of Chan, with that of Yeh. One of ordinary skill in the art would have been motivated to make such modifications because as explained by Yeh above, mapping geolocation information to IP addresses was a well known method in the art at the time the invention was made. One skilled in the art would have found it beneficial to make such modifications to Chan as his method may then use the geolocation of a user's IP address to present relevant POI's in the area of the user.

61. Regarding claim 24, Chan teaches the method of claim 8 as described above.

However Chan does not explicitly teach the method of providing advertisements to mobile devices, as recited in claim 24. Yeh teaches the following:

providing advertisements to mobile devices based on their current location,

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(abstract), the usefulness, and consequently the performance, of advertisements are improved by allowing businesses to better target their ads to a responsive audience. Location information, such as country, region, metro area, city or town, postal zip code, telephone area code, etc. is determined (or simply accepted) and used.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the location techniques of Chan, with location specific advertising techniques of Yeh. One of ordinary skill in the art would have been motivated to make such modifications because as described in Yeh pg. 2, paragraph [0013], location specific advertising was well known before the time of invention as Google™ allowed ads to be displayed depending on the country the user is residing in. One of ordinary skill would find such modifications beneficial because it would have allowed advertisers to better focus their ads by displaying them to only users in relevant locations.

Conclusion

62. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Cook (US 6,983,155), providing geographic directions to a destination using a mobile wireless communication device.

Hayami et al. (US 5,635,953), map displaying apparatus.

Herz et al. (US 6,571,279), location enhanced information delivery system.

Morimoto et al. (US 5,784,059), vehicle navigation system with destination selection using hierarchical menu arrangement with selective level skipping.

Neville (US 5,588,048), geographically mapped telephone routing method and system.

Japanese Patent number 2000075011, global positioning system receiver using a satellite signal, feeds present position data in the form of a telephone number or postal code with a conversion table for converting data into latitude and longitude.

63. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571)272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

G.A.D.
4/9/2007


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